

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE GLAZIERS,)	
ARCHITECTURAL METAL)	
AND GLASS WORKERS LOCAL)	
UNION NO. 27 WELFARE AND)	
PENSION FUNDS,)	No. 12 C 7952
)	
Plaintiffs,)	Judge St. Eve
)	
v.)	Magistrate Judge Schenkier
)	
RAREFORM ARCHITECTURAL)	
PRODUCTS, LLC, an Illinois Limited)	
Liability Company,)	
)	
Defendant.)	

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COME the Plaintiffs, by and through their attorneys, and, in their Motion for Judgment in Sum Certain, state as follows:

1. Plaintiffs filed their Complaint against Defendant on October 4, 2012, seeking amounts determined to be due during a fringe benefit contribution audit for the period July 1, 2009 through December 31, 2011.
2. Plaintiffs served Defendant on October 15, 2012.
3. Defendant never answered or otherwise pled to the Complaint.
4. Instead, as Plaintiffs' counsel previously represented in open court, an attorney for Defendant (also its registered agent) contacted him, advised that Defendant wished to be audited for the period of January 1, 2012 through December 31, 2012 as well, and that Defendant, thereafter, would settle its total liability to Plaintiffs on an installment note basis.
5. The second audit for 2012 proceeded, and Plaintiffs' counsel provided a copy of

the resulting audit report to Defendant's counsel on March 26, 2013. Plaintiffs' counsel requested Defendant's counsel contact him to advise if there were any challenges to the audit findings, indicating he would prepare a note, if not. See Ex. A.

6. On March 27, 2013, Defendant's counsel informed Plaintiffs' counsel he would not be able to speak with Plaintiffs' counsel until April 2, 2012 about the audit. See Ex. A.

7. Defendant's counsel did not contact Plaintiffs' counsel on April 2, 2013.

8. On April 9, 2013, Plaintiffs' counsel made a follow up call to Defendant's counsel, leaving a voicemail repeating his request to discuss the audit findings with him and warning of litigation-action if no response was forthcoming.

9. To date, Plaintiffs' counsel has still received no response from Defendant's counsel.

10. According to the Declaration of Richard J. Wolf, Defendant's total arrears to the Funds are \$25,544.54. See Ex. B.

11. According to the Declaration of Andrew S. Pigott, Plaintiffs' total attorney fees and costs incurred in the matter are \$6,020.00. See Ex. C.

WHEREFORE, Plaintiffs ask this Court to enter the Order attached to this Motion as Exhibit D.

Respectfully submitted,

**TRUSTEES OF THE GLAZIERS,
ARCHITECTURAL METAL AND
GLASS WORKERS LOCAL UNION
NO. 27 WELFARE AND
PENSION FUNDS**

By: s/ Andrew S. Pigott
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